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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
10

11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 v.
14

JAMMIN' JAVA CORP., dba
15 MARLEY COFFEE, SHANG G.
WHITTLE, WAYNE S. P. WEAVER,
16 MICHAEL K. SUN, RENE
BERLINGER, STEPHEN B.
17 WHEATLEY, KEVIN P. MILLER,
MOHAMMED A. AL-BARWANI,
18 ALEXANDER J. HUNTER, and
THOMAS E. HUNTER,

19 Defendants.
20

Case No. 2:15-CV-08921-SVW-MRW

**JOINT STIPULATION
EXTENDING TIME FOR
DEFENDANT KEVIN P. MILLER
TO RESPOND TO COMPLAINT**

The Honorable STEPHEN V. WILSON

Trial Date: October 25, 2016

Stipulated Response Date: May 12,
2016

28 Case No. 2:15-CV-08921-SVW-MRW

1 WHEREAS, on November 17, 2015, Plaintiff the United States Securities and
 2 Exchange Commission (“SEC”) filed its initial complaint in the United States
 3 District Court for the Central District of California, Western Division (Dkt. No. 1)
 4 (the “Complaint”), naming Kevin P. Miller (“Mr. Miller”) as one of several
 5 defendants;

6 WHEREAS, to avoid any dispute over the method and timing of service, Mr.
 7 Miller and his counsel hereby acknowledge that he has been served with the SEC’s
 8 Complaint and the parties have agreed that Mr. Miller may have up to and including
 9 May 12, 2016 to respond to the Complaint;

10 WHEREAS, Mr. Miller and the SEC have not previously sought any
 11 extension in this matter;

12 IT IS HEREBY STIPULATED AND AGREED, by and between the SEC
 13 and Mr. Miller, by and through their respective undersigned counsel, that the time
 14 within which Mr. Miller may answer, move, or otherwise respond to the Complaint
 15 should be extended up to and including May 12, 2016. Nothing in this stipulation is
 16 intended to be or may be construed as waiving any of Defendant’s rights or
 17 affirmative defenses (except that Defendant expressly acknowledges that the
 18 Complaint has been properly served).

19
 20 DATED: April 26, 2016

CALDWELL LESLIE & PROCTOR, PC

21 By _____/s/

22 Andrew Esbenshade

23 Attorneys for Defendant KEVIN P. MILLER

1 DATED: April 26, 2016

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION

By /s/ (authorization by email)

Timothy S. Leiman

Attorneys for Plaintiff UNITED STATES
SECURITIES AND EXCHANGE
COMMISSION